

U.S. Serial No. 09/761,203

Response to the Office action of October 19, 2006

Remarks

Claims 1-18 and 21-33 are pending and at issue in the above identified patent application. Of the claims at issue, claims 1, 27, and 32 are independent. In view of the foregoing amendments and the following remarks, reconsideration of the application is respectfully requested.

Claim 1 recites an apparatus comprising, *inter alia*, a memory for storing a plurality of selectable status parameters indicating functionality of the digital video recording device, one of said plurality of selectable status parameters is an out of disk alert user setting.

Original claim 20, which has been cancelled, recited a user selectable out-of-disk space alert similar to new recitations of claim 1. In rejecting claim 20, the examiner cited col. 58, line 60 to col. 59 line 36 of Kikuchi (US 6,577,811). The applicants respectfully submit that the cited portion of Kikuchi clearly does not describe or suggest an out of disk alert user setting. Rather, the cited portion of Kikuchi describes a timebar that indicates a predefined delay to a user. The predefined delay corresponds to an amount of time provided to a user to change a recording disc. If the user does not change the recording disk during the predefined delay, recording is stopped. A countdown timer is not equivalent to an out of disk alert user setting. Accordingly, the cited portion of Kikuchi does not describe or suggest an out of disk alert user setting or any type of user setting corresponding to disk capacity. In addition, the applicant respectfully submits that none of the additional references cited by the examiner describes or suggests an out of disk alert user setting. For at least the foregoing reasons, claim 1 and all claims depending therefrom are in condition for allowance.

Claim 27 recites a method comprising, *inter alia*, storing a plurality of selectable status parameters indicating functionality of the digital video recording device within a

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memory of the digital video recording device, one of said plurality of selectable status parameters is an out of disk alert user setting. For at least the forgoing reasons provided in connection with claim 1, claim 27 and all claims depending therefrom are in condition for allowance.

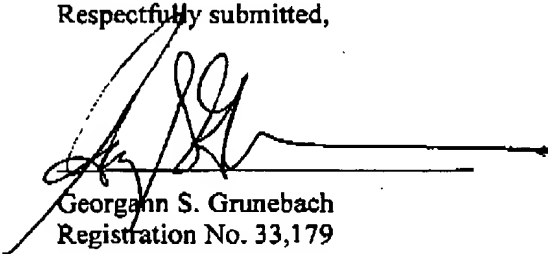
Claim 32 recites an apparatus comprising, *inter alia*, a memory for storing a plurality of selectable status parameters indicating functionality of the digital video recording device, one of said plurality of selectable status parameters is an out of disk alert user setting. For at least the forgoing reasons provided in connection with claim 1, claim 32 and all claims depending therefrom are in condition for allowance.

Reconsideration of the application and allowance thereof are respectfully requested.

If there is any matter that the examiner would like to discuss, the examiner is invited to contact the undersigned representative at the telephone number set forth below.

Respectfully submitted,

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